

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

City of Columbia, Appellant,

v.

Robert S. Bruce, Respondent.

Appellate Case No. 2016-002144

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Appeal From Richland County  
Clifton Newman, Circuit Court Judge

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Unpublished Opinion No. 2018-UP-039  
Submitted November 1, 2017 – Filed January 31, 2018

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**AFFIRMED**

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Jessica Mangum, of Columbia, for Appellant.

Assistant Public Defender Jessica Erin Sturgill, of  
Columbia, for Respondent.

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**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: S.C. Code Ann. § 24-13-40 (Supp. 2017) ("In every case in computing the time served by a prisoner, full credit against the sentence must be given for time served prior to trial and sentencing . . . . Provided, however, that credit for time served prior to trial and sentencing shall not be given: (1) when the prisoner at the time he was imprisoned prior to trial was an escapee from another penal

institution; or (2) when the prisoner is serving a sentence for one offense and is awaiting trial and sentence for a second offense in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense."); *Blakeney v. State*, 339 S.C. 86, 88, 529 S.E.2d 9, 10-11 (2000) ("'[T]ime served' in [section] 24-13-40 means the time during which a defendant is in pre-trial confinement *and* charged with the offense for which he is sentenced (so long as he is not serving time for a prior conviction)."); *Allen v. State*, 339 S.C. 393, 395, 529 S.E.2d 541, 542 (2000) ("Section [24]-13-40 mandates a prisoner be given credit for all time served prior to trial unless one of two exceptions exist: 1) either the prisoner was an escapee or 2) the prisoner was already serving a sentence on one offense.").

**AFFIRMED.**<sup>1</sup>

**LOCKEMY, C.J., and HUFF and HILL, JJ., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.